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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,727	02/13/2002	John T. Groves	IB-1695	2093

8076 7590 01/05/2007  
LAWRENCE BERKELEY NATIONAL LABORATORY  
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UNIVERSITY OF CALIFORNIA  
BERKELEY, CA 94720

EXAMINER
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SHIBUYA, MARK LANCE

ART UNIT	PAPER NUMBER
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1639

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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10/076,727

2/13/2002

GROVES

IB-1695

EXAMINER

SHIBUYA

ART UNIT

PAPER

1639

20061220

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see attached communication.

Mark L. Shibuya, Ph.D.  
Primary Examiner  
Art Unit: 1639

### Non-Responsive Election

The reply filed on 9/27/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not elected a species that is a *final* species of dopant molecule that is a "membrane protein", wherein the species of membrane proteins are cell adhesion protein from the immunoglobulin ("Ig") superfamily, (see Remarks, entered 9/27/2006, at p. 6; Remarks, entered 11/24/2004, at p. 8, para 3).

In the Remarks, entered 11/24/2004, applicant elected a cell adhesion protein dopant molecule that are cell adhesion proteins from the immunoglobulin superfamily. In the Remarks, entered 9/27/2006, applicant clarifies that the proteins in amended claim 9 and new claims 25 and 26, are members of the previously elected immunoglobulin superfamily, (but see, below discussion).

However, applicant has not elected a *final* species of dopant molecule that is a member of immunoglobulin superfamily, as required. Specifically, applicant was required to, *and must still*, elect a *final* dopant from the apparent Markush groups in, amended claim 9 and new claims 25 and 26 is selected from the group consisting of ICAM, N-CAM, C-CAM, major histocompatibility complex (MHC) protein and MHC peptides.

Furthermore, it is unclear whether the membrane proteins that are selectin or integrin, (as in claims 25 and 26), are members of the elected immunoglobulin superfamily; if they are not members, then an election of either selectin or integrin will

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be considered non-responsive. Applicant must clarify this status of selectin and integrin.

See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark L. Shibuya, Ph.D. whose telephone number is (571) 272-0806. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. James Schultz can be reached on (571) 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Mark L. Shibuya, Ph.D.  
Primary Examiner  
Art Unit 1639